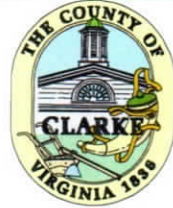


Clarke County

Planning Commission
Regular Meeting Minutes
December 4, 2015



The regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, December 4, 2015.

ATTENDANCE

George L. Ohrstrom, II, Chair; Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Scott Kreider; Doug Kruhm; Frank Lee; Gwendolyn Malone; Cliff Nelson; and Jon Turkel.

ABSENT

John Staelin

STAFF

Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator; Alison Teetor, Natural Resources Planner; and Debbie Bean, Recording Secretary.

CALLED TO ORDER

Chair Ohrstrom called the meeting to order at 9:00 a.m.

APPROVAL OF AGENDA

The Commission voted to approve the revised Agenda as presented.

Yes: Bouffault, Buckley, Caldwell, Kreider, Kruhm, Lee (seconded), Malone, Nelson (moved), Ohrstrom and Turkel

No: No one

Absent: Staelin

APPROVAL OF MINUTES

The Commission voted to approve the regular meeting minutes of November 6, 2015

Yes: Bouffault (seconded), Buckley, Caldwell (moved), Kreider, Kruhm, Lee, Malone, Nelson, Ohrstrom and Turkel

No: No one

Absent: Staelin

Set Public Hearing Items

Proposed Text Amendments

TA-15-04, Board of Zoning Appeals – Code of Virginia Amendments

Mr. Stidham stated that this proposed amendment is to implement new and amend current requirements regarding the administrative procedures and review for variances and appeals by the Board of Zoning Appeals in order to comply with recent amendments to the Code of Virginia. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing on this proposed text amendment for the next regular meeting of the Commission on January 8, 2016.

Yes: Bouffault (moved), Buckley, Caldwell (seconded), Kreider, Kruhm, Lee, Malone, Nelson, Ohrstrom, and Turkel

No: No one

Absent: Staelin

TA-15-05, Forestal-Open Space-Conservation District (FOC) Development Regulations – Zoning and Subdivision Ordinance Amendments

Mr. Stidham stated that the purpose of the proposed text amendments to the Zoning and Subdivision Ordinance is to clarify existing regulations regarding subdivision and development of land in the Forestal Open-Space Conservation (FOC) District. He said that the goals for this text amendment are to emphasize the identification and protection of existing trees and vegetation, highly erodible/slippage soils and other critical environmental features before, during and after the plat review process. He also said that creating a regulatory process that can be managed and enforced effectively by existing County staff and ensuring that the regulations are clearly stated, provide the intended levels of protections and avoid confusion among property owners, County staff and officials. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing on this proposed text amendment for the next regular meeting of the Commission on January 8, 2016.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm, Lee, Malone (seconded), Nelson, Ohrstrom, and Turkel

No: No one

Absent: Staelin

Agricultural & Forestal District Six-Year Review

Mr. Stidham stated that the current term of the Ag & Forestal District is scheduled to expire on March 16, 2016. He said that the Code of Virginia requires review of the District, including the review of any applications to add new land to the District to be conducted by the County's AFD Advisory committee, Planning Commission and the Board of Supervisors. He said that the Commission and the Board are required to hold public hearings in conjunction with their review of the District. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing on the Agricultural & Forestal District Six-Year Review for the next regular meeting of the Commission on January 8, 2016.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm, Lee (seconded), Malone, Nelson, Ohrstrom, and Turkel

No: No one

Absent: Staelin

Public Hearing Items

TA-15-03, Rear Yard Setback -- Rural Residential (RR) District. Proposed text amendment to amend §3-A-3-c, Minimum Yard Requirements -- Rural Residential District (RR), of the Zoning Ordinance. The purpose of the amendment is to reduce the required rear yard setback for structures on parcels 15,000 square feet or greater in area from 35 feet to 25 feet.

Mr. Stidham stated that the purpose of this proposed text amendment is to reduce the required rear yard setback for structures on parcels 15,000 square feet or greater in area from 35 feet to 25 feet.

Commissioner Kruhm stated that a resident contacted him about this proposed text amendment. He said his name is Cody Wagner and he is a resident of Shenandoah Retreat and he is in support of this amendment. Mr. Wagner was unable to attend today's meeting as he was called out of town due to a funeral.

After discussion with Staff and the Commission, Chair Ohrstrom opened the public hearing. There being no public comments, Chair Ohrstrom closed the public hearing and called for a motion.

The Commission voted to recommend approval of this proposed text amendment to the Board of Supervisors.

Yes: Bouffault (moved), Buckley, Caldwell, Kreider (seconded), Kruhm, Lee, Malone, Nelson, Ohrstrom, and Turkel

No: No one

Absent: Staelin

Minor/Major Subdivisions

MS-15-01 Denis Wayne Foltz (applicant)/Geraldine McNamara (owner). Request approval of a two lot Minor Subdivision for the property identified as Tax Map #6-A-57 located at 1026 Fishpaw Road in the Russell Election District, zoned Agricultural Open-Space Conservation (AOC).

Mr. Fincham stated that the applicant is requesting a two lot minor subdivision located at 1026 Fishpaw Road. He said that the Subdivision Committee reviewed the proposed subdivision plat on October 21, 2015 and had no comments. He stated that the applicant has met all requirements of the Subdivision Ordinance for final plat approval. Commissioner Nelson stated that he walks by this area when walking his dog and he sees no concerns except that there is a hill to the west of the proposed site which may cause problems with sight distance. Mr. Nelson said that since VDOT has already approved the sight distance this must have already been considered. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to approve this request.

Yes: Bouffault, Buckley (seconded), Caldwell, Kreider, Kruhm, Lee, Malone, Nelson (moved), Ohrstrom, and Turkel

No: No one

Absent: Staelin

MS-15-02 Dunning Family Limited Partnership. Request approval of a two lot Minor Subdivision for the property identified as Tax Map #20-A-8 located at 2312 Old Winchester Road in the White Post Election District, zoned Agricultural Open-Space Conservation (AOC).

Mr. Fincham stated that the applicant is requesting approval of a two lot minor subdivision. He said that the Subdivision Committee reviewed the proposed subdivision plat on October 21, 2015 and had no comments. Mr. Fincham stated that after the minor subdivision is approved, the two residential lots will be boundary line adjusted to create a 5.5165 acre Lot 1 and an 8.3174 acre Lot 3 in accordance with Clarke County Subdivision Ordinance 10-D-1-d. Mr. Fincham stated that the applicant has met all requirements of the Subdivision Ordinance for final plat approval. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to approve this request.

Yes: Bouffault (moved), Caldwell, Kreider (seconded), Kruhm, Malone, Nelson, Ohrstrom, and Turkel

No: No one

Abstained: Buckley and Lee

Absent: Staelin

Board/Committee Reports

Board of Supervisors (John Staelin)

Mr. Stidham stated that Martha Shickle with the Northern Shenandoah Valley Regional Commission is moving to Richmond and the Commission is in the process of finding a replacement.

Sanitary Authority (John Staelin)

No report.

Board of Septic & Well Appeals (John Staelin)

No report.

Board of Zoning Appeals (Anne Caldwell)

No report.


Historic Preservation Commission (Doug Kruhm)

Commissioner Kruhm stated that the HPC had a public hearing on November 18th for a Certificate of Appropriateness for a demolition of a property with extensive termite damage. The Certificate of Appropriateness was approved by a split vote.

Conservation Easement Authority (George Ohrstrom, II)

Chair Ohrstrom stated that the CEA recorded another easement and will be looking at policy changes next year.

There being no further business to come before the Commission the meeting was adjourned at 9:40 a.m.


George L. Ohrstrom, II, Chair
Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary